

think this law is not an urgent item on the country's agenda. Other observers and analysis share Ameer's views and believe the Bush administration, foreign oil companies and the International Monetary Fund are rushing the Iraqi government to pass the law.

Not every aspect of the law is harmful to Iraq. However, the current language favors the interests of foreign oil corporations over the economic security and development of Iraq. The law's key negative components harm Iraq's national sovereignty, financial security, territorial integrity and democracy.

The new oil law gives foreign corporations access to almost every sector of Iraq's oil and natural-gas industry. This includes service contracts on existing fields that are already being developed and that are managed and operated by the Iraqi National Oil Co (INOC).

For fields that have already been discovered, but not yet developed, the proposed law stipulates that INOC will have to be a partner on these contracts. But for as-yet-undiscovered fields, neither INOC nor private Iraqi companies receive preference in new exploration and development. Foreign companies have full access to these contracts.

The exploration and production contracts give firms exclusive control of fields for up to 35 years, including contracts that guarantee profits for 25 years. A foreign company, if hired, is not required to partner with an Iraqi company or reinvest any of its money in the Iraqi economy. It's not obligated to hire Iraqi workers, train Iraqi workers or transfer technology.

The current law remains silent on the type of contracts that the Iraqi government can use. The law establishes a new Iraqi Federal Oil and Gas Council with ultimate decision-making authority over the types of contracts that will be employed. This council will include, among others, "executive managers from important related petroleum companies". Thus it is possible that foreign oil-company executives could sit on the council. It would be unprecedented for a sovereign country to have, for instance, an executive of ExxonMobil on the board of its key oil-and-gas decision-making body.

The law also does not appear to restrict foreign corporate executives from making decisions on their own contracts. Nor does there appear to be a "quorum" requirement. Thus if only five members of the Federal Oil and Gas Council met—one from ExxonMobil, Shell, ChevronTexaco and two Iraqis—the foreign company representatives would apparently be permitted to approve contracts for themselves.

Under the proposed law, the council has the ultimate power and authority to approve and rewrite any contract using whichever model it prefers if a "two-thirds majority of the members in attendance" agree. Early drafts of the bill, and the proposed model by the US, advocate very unfair, and unconventional for Iraq, models such as production sharing agreements (PSAs), which would set long-term contracts with unfair conditions that may lead to the loss of hundreds of billions of dollars of the Iraqi oil money as profits to foreign companies.

The council will also decide the fate of the existing exploration and production contracts already signed with the French, Chinese and Russians, among others.

The law does not clarify who ultimately controls production levels. The contractee—the INOC, foreign or domestic firms—appears to have the right to determine levels of production. However, a clause reads, "In the event that, for national policy considerations, there is a need to introduce limitations on the national level of petroleum pro-

duction, such limitations shall be applied in a fair and equitable manner and on a pro rata basis for each contract area on the basis of approved field-development plans." The clause does not indicate who makes this decision, what a "fair and equitable manner" means, or how it is enforced. If foreign companies, rather than the Iraqi government, ultimately have control over production levels, then Iraq's relationship to the Organization of Petroleum Exporting Countries and other similar organizations would be deeply threatened.

Many Iraqi oil experts are already referring to the draft law as the "Split Iraq Fund", arguing that it facilitates plans for splitting Iraq into three ethnic/religious regions. The experts believe that the law undermines the central government and shifts important decision-making and responsibilities to the regional entities. This shift could serve as the foundation for establishing three new independent states, which is the goal of a number of separatist leaders.

The law opens the possibility of the regions taking control of Iraq's oil, but it also maintains the possibility of the central government retaining control. In fact, the law was written in a vague manner to help ensure passage, a ploy reminiscent of the passage of the Iraqi constitution. There is a significant conflict between the Bush administration and others in Iraq who would like ultimate authority for Iraq's oil to rest with the central government and those who would like to see the nation split in three. Both groups are powerful in Iraq. Both groups have been mollified, for now, to ensure the law's passage.

But two very different outcomes are possible. If the central government remains the ultimate decision-making authority in Iraq, then the Iraq Federal Oil and Gas Council will exercise power over the regions. And if the regions emerge as the strongest power in Iraq, then the council could simply become a silent rubber stamp, enforcing the will of the regions. The same lack of clarity exists in Iraq's constitution.

The daily lives of most people in Iraq are overwhelmed with meeting basic needs. They are unaware of the details and full nature of the oil law shortly to be considered in Parliament. Their parliamentarians, in turn, have not been included in the debate over the law and were unable even to read the draft until it was leaked on the Internet. Those Iraqis able to make their voices heard on the oil law want more time. They urge postponing a decision until Iraqis have their own sovereign state without a foreign occupation.

Passing this oil law while the political future of Iraq is unclear can only further the existing schisms in the Iraqi government. Forcing its passage will achieve nothing more than an increase in the levels of violence, anger and instability in Iraq and a prolongation of the US occupation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## HONORING BRIAN JAMES IVORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ISRAEL) is recognized for 5 minutes.

Mr. ISRAEL. Madam Speaker, we are all so proud on both sides of the aisle of the work that our servicemembers are doing in military theaters abroad, in Iraq and Afghanistan and so many places around the world. And we should be just as proud of the work they do when they come home.

I rise today to share with my colleagues the extraordinary heroism of Brian James Ivory. Mr. Ivory was a very proud member of the United States Marine Corps. He served in Iraq. He crewed aircraft flying in and out of some very dangerous places.

He was also stationed in North Carolina where he assisted in search and rescue missions, and he came home to Long Island when his deployment ended.

On December 17, he was driving home from work at night and he saw a vehicle in front of him hit a utility pole and erupt into flames. This young man, who had already served and sacrificed for his country, who had already paid his dues, rather than driving on and just calling the police, stopped his car, called the authorities and then pulled the driver out of the car, risking his life one more time, not in Iraq, but on the Long Island Expressway.

I want to commend this gentleman for his heroism. This is a story that I know is not unique. The point here is that we not simply celebrate the sacrifices and the heroism of our servicemembers when they go abroad to fight our battles, but we also keep in mind their bravery, their courage, their commitment, their dedication, their loyalty to protecting human life when they return home.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## REGULAR ORDER LACKING UNDER DEMOCRATS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 5 minutes.

Mr. WESTMORELAND. Madam Speaker, I just wanted to come back and talk a little bit more about the majority and the work schedule and the work ethics that they seem to be putting forth. I could come up and read my BlackBerry and my schedule to you. I don't know if that is exactly what our constituents had in mind, was electing us and paying us to come up here and go to receptions and go to dinners and travel around ourselves. That

is understandable. I think what they sent us up here to do was to do the people's business.

The gentleman from Washington (Mr. McDERMOTT) came up and talked about regular order. I just had to come back, Madam Speaker, to address regular order. I have almost forgotten what regular order is because since we have taken over, since the Democrats took over January 4, I guess we have had maybe this bill and one other bill that actually went through regular order.

We had an organizational meeting for my committees, and I think I have had one other meeting in one of the committees, two hearings or three hearings in another committee, not actually about any of the specific legislation.

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In fact, the bills that have come to the floor have been taken out of two of the committees that I serve on to be brought directly to the floor without any kind of markup.

So I nicknamed this Congress, Madam Speaker, the smoke and mirrors Congress, and I think that they have done, and I am talking about the majority party that is in control now, have done a wonderful job with smoke and mirrors and fooling the American people.

We did a smoke and mirrors on the minimum wage. We did a smoke and mirrors on the war resolution. We have done several smoke and mirrors, and we continue to do smoke and mirrors.

It is just like the 5-day work week. They never address the 5-day work week. Where is the 5-day work week? Since the first week of January, we have had one 5-day work week. We may be going to have committee hearings, and we may be going to go to all these parties and receptions and other things, but when are we going to work? Because most of my constituents are at work right now. In fact, most of them, some of them, possibly started at 6 o'clock this morning. A lot of the airline people work a 5:00 a.m. shift. A lot of them start at 7:00, but we start at 10:00, and I have not had a hearing earlier than 10 o'clock, and today we finished the legislative business at 2:15.

So, Madam Speaker, I hear all these things, and I hear some good ideas, and I think the people do want us to work, but let us not campaign on one thing and then come to Washington and do something else. I think the people deserve more than that.

Also, I wanted to address the regular order thing. I am elected by 700,000 people in the Third District of Georgia, and they expect some representation up here, and I do my best to do that. They want a voice in the things that happen on this floor, but yet I have been unable to offer an amendment, unable to offer an amendment when the rules of the House clearly state that every Member of this body has the right to amend a piece of legislation. But when the Rules Committee meet, they waive that rule.

It is like the smoke and mirrors PAYGO that we got. People are like, oh, yeah, I like that PAYGO. They cannot increase the deficit or anything without making sure that the money is there to pay it. So, man, we love that PAYGO. The problem is that the Rules Committee, in the bill that came that involved that, waived that rule. Smoke and mirrors.

So, Madam Speaker, I am going to let people rest now. I see that Mrs. BLACKBURN is here to start her Special Order, but I just want the people, Madam Speaker, to understand that we are up here to do the people's business and not just to talk a good game, but to act a good game. So hopefully they will see that we want to earn ourself back into the majority, and they will have the confidence in us to lead this country once again.

The SPEAKER pro tempore (Ms. CLARKE). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### THE EMPLOYEE FREE CHOICE ACT: RESTORING FAIR ELECTIONS IN THE WORKPLACE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Madam Speaker, I rise in support of the Employee Free Choice Act. It is natural to believe, as most Americans do, that since workplace elections have secret ballots, they are similar to the elections we have for municipal, State and national offices. Unfortunately, choosing to join a union is not like the choices we all make at voting booths in November.

Americans rightly expect not to be fired or harassed for the way they vote. They do not expect to hear that their jobs may be shipped overseas or that they may lose their health care coverage.

On the other hand, the law gives employers that oppose unions with illegal means a chance to do such things. Employers that want to fire or threaten the union-friendly worker can calculate ahead of time that it will only cost them a few thousand dollars in fines if they are caught. And wronged employees might not be reinstated for years, long after the union effort has run its course.

Other tactics are legal but unfair, such as mandatory meetings for employees to listen to their employer's antiunion views with no similar opportunities for unions to respond.

Workers are subject to intimidation so effective that many are afraid to vote for a union against the wishes of their employer, even in private, even in a secret ballot.

One study recently conducted by the University of Illinois found that 30 percent of employers fire prounion workers, 49 percent threaten to close a workplace, and 51 percent coerce employees with bribes or favoritism.

These acts are not legal under the National Labor Relations Act, but the fines are so paltry and the legal process so slow that unscrupulous employers are undeterred. People are afraid to vote for a union because they are afraid to lose their jobs and because the law does not adequately protect them.

These are not the kind of elections Americans expect at their polling places. The Employee Free Choice Act would bring our workplaces closer to the democratic ideals we do expect.

The Employee Free Choice Act would strengthen employees' ability to choose. It would discourage the firing of employees by increasing fines and penalties during the election process. It would require mediation and arbitration to end delays and make sure that the first contract negotiations do not drag out for years.

The Employee Free Choice Act would also replace secret ballots with a card check procedure in which a majority of workers, not just the majority of voters, sign cards authorizing a union.

Why is it so important to ensure access to unions? Inequality is rising in our country. Two years ago, Alan Greenspan said, "A free-market society is ill-served by an economy in which the rewards are distributed in a way which too many of our population do not feel is appropriate."

Whether or not you believe that increasing inequality in our country is tied to declining union membership, one thing is clear. Union workers have better rates of health care coverage, better wages, and are five times more likely to have a pension.

Access to health care, better wages, secure pensions, these are things Congress is trying to give back to the middle class in America. Making our economy work for everyone is a complicated, ongoing process. I believe the Employee Free Choice Act is one important step toward accomplishing that goal.

In most American workplaces, the process of forming a union is contentious. Yet, though they may differ over issues like wages, health care and pension benefits, employers, employees, supervisors and company owners are all striving for the same goal: American competitiveness in a global economy.

Finding a middle ground on the question of compensation, training and health care boosts American productivity, innovation and competitiveness. By giving the lion's share of the power to employers, we not only cheat workers, we cheat our economic future.

As we approach 2020, our income distribution is trending toward 1920. Americans do not want to be left to the market-based whims of health savings